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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, AFL-CIO,
et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, et al.,

Defendants.

Case No. 3:25-cv-03698-SI

**PLAINTIFFS' RESPONSE ON
SCHEDULE WITH RESPECT TO
DEFENDANTS' MOTION FOR
PROTECTIVE ORDER OR IN THE
ALTERNATIVE FOR
RECONSIDERATION AND REQUEST
FOR AN IMMEDIATE
ADMINISTRATIVE STAY**

1 Plaintiffs provide this short response regarding scheduling on Defendants' Motion for a
2 Protective Order or in the Alternative For Reconsideration and Request For an Immediate
3 Administrative Stay (ECF 88) for relief from this Court's May 13, 2025 deadline for the expedited
4 discovery ordered by this Court's order granting Plaintiffs' Motion for Temporary Restraining Order
5 (ECF 85). Plaintiffs request that the Court set a reasonable, expedited schedule for the parties to brief
6 this Motion, and deny Defendants' request for administrative stay as moot, as explained herein.

7 On the afternoon of Sunday, May 11, 2025, Defendants informed Plaintiffs for the first time
8 that they intended to move for a protective order and/or reconsideration to relieve Defendants of the
9 obligation to comply with this Court's expedited discovery order requiring them to produce and file
10 Agency RIF and Reorganization Plans ("ARRPs") by Tuesday, May 13, 2025. They also stated that
11 they would seek an administrative stay from this Court. In that same e-mail, Defendants informed
12 Plaintiffs that on the morning of Monday, May 12, they intended to file a mandamus petition on this
13 discovery issue in the Ninth Circuit and to seek an administrative stay from the Ninth Circuit (as well
14 as filing a stay motion regarding the TRO).

15 Plaintiffs responded by requesting that Defendants provide the basis for their protective
16 order/reconsideration motion, but received no response. Plaintiffs then promptly informed
17 Defendants that they opposed this motion and would propose to this Court (1) a short, reasonable
18 briefing schedule, with Plaintiffs' response to this motion due on Tuesday, May 13, 2025 and any
19 reply by Defendants due on Wednesday, May 14, 2025, *and* (2) that the Court postpone Defendants'
20 deadline for producing and filing documents pending resolution of this motion.

21 Without responding to that proposal, Defendants filed their emergency motion for protective
22 order and reconsideration, and for an administrative stay at 5:58 p.m. Pacific on Sunday, May 11,
23 2025. Subsequent to that filing (*cf.* ECF 89), defense counsel informed Plaintiffs that in light of
24 Plaintiffs' position with respect to schedule, Defendants no longer planned to seek an administrative
25 stay in the Ninth Circuit.

26 Plaintiffs therefore request the Court order the following:

27 1. Plaintiffs will file a response to Defendants' emergency motion by Tuesday, May 13,
28 2025, or any other deadline that the Court orders.

2. Defendants may file any reply by Wednesday, May 14, 2025, or any other deadline that the Court orders.

3. The deadline of Tuesday, May 13, 2025 for production and filing of the expedited discovery of ARRP's ordered by this Court's (ECF 85) is postponed until the Court resolves Defendants' pending motion (ECF 88).

4. In light of this schedule, and relief from the pending deadline, Defendants' request for an immediate administrative stay is denied as moot.

DATED: May 11, 2025

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